

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PAUL BAILEY

v.

MICHAEL J. ASTRUE

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Civil Action

No.: 07-4595

ORDER

AND NOW, this 4 day of March, 2009, upon consideration

of the Plaintiff's Request for Review and the Defendant's response thereto, and after careful review of the Report and Recommendation of United States Magistrate Lynne A. Sitarski, IT IS ORDERED as follows:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. Judgment is ENTERED in favor of Plaintiff, REVERSING the decision of the Commissioner of Social Security for the purposes of this remand only;
3. The Plaintiff's Request for Review is GRANTED IN PART and DENIED IN PART;
4. The matter shall be REMANDED to the Commissioner of the Social Security Administration in accordance with the fourth sentence of 42 U.S.C. § 405(g) for further proceedings consistent with the Magistrate Judge's Report and Recommendation; and
5. The Clerk of Court is directed to mark this case closed.

BY THE COURT:



BERLE M. SCHILLER, J.